



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary M. Lewis, De Fu Li and Nathan R. Melhorn

Application No.: 09/894,261 Group: 2154

Filed: June 28, 2001 Examiner: Dustin Nguyen

Confirmation No.: 5056

For: MODEM ACTIVITY DETECTION

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

10/6/05

Date

Signature

Julie Kertyzak

Typed or printed name of person signing certificate

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply \_\_\_\_\_ for filing in the above-identified application.

- Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

**The claims fee has been calculated as shown below:**

					SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDT. FEE
TOTAL	17	MINUS	* 20	0	X \$ 25	\$ [ ]
INDEP	4	MINUS	** 4	0	X \$100	\$ [ ]
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$180	\$ [ ]

\* not fewer than 20  
 \*\* not fewer than 3

TOTAL= \$ <u>      0      </u>	TOTAL= \$ <u>      0      </u>
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**The Application Size Fee has been calculated as shown below:***(Effective for cases filed on or after December 8, 2004)*

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (Increments of 50 sheets)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
			Rate	Total Amount Owed	Rate	Total Amount Owed
			X \$125	\$[ ]	X \$250	\$[ ]

Payment Sufficient for up to  [ ] Sheets
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**Petition for Extension of Time**

[ ] Applicant hereby petitions to extend the time to respond to the [ ] dated [ ] for [ ] month(s) from [ ] to [ ]. The appropriate fee is set forth below.

[ X ] The undersigned attorney petitions the Commissioner for Patents to extend the time for filing a Notice of Appeal in reply to the Office Action made Final dated June 9, 2005 for one month, from September 9, 2005 to October 9, 2005 under 37 C.F.R. § 1.136(a).

In lieu of filing a Notice of Appeal, Applicants' Attorney is filing a Request for Continued Examination concurrently herewith.

**Please charge Deposit Account No. 08-0380 for the following fees:**

<input type="checkbox"/> Petition for [ ] month Extension of Time	\$ _____
<input type="checkbox"/> Claims Fee	\$ _____
<input type="checkbox"/> Application Size Fee	\$ _____
<input type="checkbox"/> Other Fees: _____ _____	\$ _____ \$ _____
	TOTAL: \$ <u>0</u>

**A check is enclosed in payment of the following fees:**

<input checked="" type="checkbox"/> Petition for one month Extension of Time	\$ <u>120</u>
<input type="checkbox"/> Claims Fee	\$ _____
<input type="checkbox"/> Application Size Fee	\$ _____
<input checked="" type="checkbox"/> Other Fees: <u>Request for Continued Examination</u> _____	\$ <u>790</u> \$ _____
	TOTAL: \$ <u>910</u>

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated:

10/6/5